

AUG 04 2008

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR §1.8 I hereby certify that this correspondence, totaling 12 pages including redted attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 (Central number) on the below date: Date: <u>August 4, 2008</u> Name: <u>Shelly Kean</u> Signature: <u>Shelly Kean</u>	
---	--

**BRINKS
HOFFER
GILSON
& LIONE**
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re Appln. of: **ROY K. GREENBERG ET AL.**Appln. No.: **10/814,989**Filed: **03/31/2004**For: **MEDICAL GRASPING DEVICE**Attorney Docket No: **8627-372 (PA-5270-CIP)**Examiner: **Pedro Philogene**Art Unit: **3733**
 Mail Stop AF
 Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL
Attached is/are:
☒ Reply Under 37 CFR 1.116.

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 CFR § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		or	Not a Small Entity	
					Rate	Add'l Fee		Rate	Add'l Fee
Total	20	Minus	23	0	x \$25=			x \$50=	0
Indep.	2	Minus	3	0	x 105=			x \$210=	0
First Presentation of Multiple Dep. Claim					+\$185=			+\$370=	0
Total					\$		Total		\$0

Fee payment:

- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

August 4, 2008

Date

Robert K. Fergan
 Robert K. Fergan (Reg. No. 51,674)

**BRINKS
HOFFER
GILSON**

BRINKS HOFFER GILSON & LIONE

NBC Tower - Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

AUG 04 2008

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR §1.8
 I hereby certify that this correspondence, totaling 12 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 (Central number) on the below date:
 Date: August 4, 2008 Name: Shelly Kagan Signature: Shelly Kagan

BRINKS
HOFFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: ROY K. GREENBERG ET AL.

Appln. No.: 10/814,989

Filed: 03/31/2004

For: MEDICAL GRASPING DEVICE

Attorney Docket No: 8627-372 (PA-5270-CIP)

Examiner: Pedro Philogene

Art Unit: 3733

Mail Stop AF
 Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL

Attached is/are:

☒ Reply Under 37 CFR 1.116.

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 CFR § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total	20	Minus	23	0	x \$25=			x \$50=	0
Indep.	2	Minus	3	0	x 105=			x \$210=	0
First Presentation of Multiple Dep. Claim					+ \$185=			+ \$370=	0
					Total	\$		Total	\$0

Fee payment:

- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

August 4, 2008
 Date

Robert K. Fergan
 Robert K. Fergan (Reg. No. 51,674)

BRINKS
HOFFER
GILSON
& LIONE

BRINKS HOFFER GILSON & LIONE

NBC Tower - Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

RECEIVED
CENTRAL FAX CENTER

AUG 04 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: ROY K. GREENBERG ET AL.

Appln. No.: 10/814,989

Filed: 03/31/2004

For: MEDICAL GRASPING DEVICE

Attorney Docket No: 8627-372 (PA-5270-CIP)

Examiner: Pedro Philogene

Art Unit: 3733

REPLY UNDER 37 C.F.R. §1.116

In response to the Office Action mailed June 3, 2008, Applicants respectfully submit this paper comprising the following parts:

- | | | |
|-----|--------------------------|--------|
| I. | Amendments to the Claims | Page 2 |
| II. | Remarks | Page 8 |

Applicants note that the Transmittal to which this paper is attached includes a Certificate of Facsimile under 37 C.F.R. §1.8; and a fee statement calculating any fee(s) presently due in connection with the filing of this paper, along with an authorization to charge any fee deficiency to Deposit Account No. 23-1925.

BRINKS
HOFER
GILSON
ALIGNE